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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,682	12/18/2001	Shih-Ping Liou	2000P09106 US01	3469

7590 04/08/2005

Siemens Corporation  
Intellectual Property Department  
186 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

AMIN, NIRAV S

ART UNIT	PAPER NUMBER
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2115

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,682

Applicant(s)

LIOU ET AL.

Examiner

Nirav S Amin

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-16 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/18/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 1-17 are pending in the application.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 17 is rejected under 35 U.S.C. 102(e) as being anticipated by Rawson, III.

As per claim 17, Rawson, III discloses:

a first processor connected to a network, wherein the first processor sends a sync-request message comprising a time current local time of the first processor [Column 4, lines 47 - 48]; and

a second processor connected to the network and connected to the first processor via the network, wherein the server receives the sync-request message, and stores a time of arrival of the sync-request message and sends a sync-response message the first processor, wherein the sync-response message comprises the current local time of the first processor, the time of arrival and a current local time to the second processor [Column 4, lines 48 - 50].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al (Pub. No.: US 2002/0120416 A1) in view of Rawson, III (USPN: 6,502,141 B1)

As per claims 1 and 5, Liu discloses:

determining a desired number of offset values between two processors, wherein each processor comprises a quartz crystal [Page 5, paragraph 0057];

determining parameters of a regression line, wherein the regression line is a function of the offset values over the desired number of offsets [Page 3, paragraph 0033 – 0034];

Liu does not disclose:

adjusting a synchronization interval according to the parameters.

Rawson, III discloses:

adjusting a synchronization interval according to the parameters [Column 6, lines 5-22].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to adjust the synchronization interval as taught by Rawson in the system

Art Unit: 2115

taught by Liu to provide a synchronization system without imposing significant overhead on the processors.

As per claims 2 and 6, at the time of the invention, it would have been obvious to a person of ordinary skill in the art wherein the desired number of offset values is thirty.

As per claims 3 and 7, Rawson, III discloses:

the offset values are functions of a difference between relative inaccuracies corresponding to the quartz crystal of each processor [Column 1, lines 51 – 59].

As per claims 4 and 8, Liu discloses:

the step of fitting a straight line,  $y = a + b \cdot x$  to a collection of N measurement pairs  $(y_i; x_i)$  with minimum mean square error, wherein a and b are the parameters [Page 3, paragraph 0033].

### ***Allowable Subject Matter***

Claims 9-16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Applicant's claimed invention distinguishes over the prior art for the following reasons. The claims are allowable over the prior art of record because none of the

Art Unit: 2115

references, either alone or in combination, discloses or renders obvious a method for synchronizing distributed processors as claimed in claim 9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav S Amin whose telephone number is (571) 272-3821. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NA

THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100